

**REMARKS**

By the present amendment claims 1, 3, 7, 8, 11, 12, 34, and 35 have been amended. Claims 4-5 have been cancelled. Claims 13-33 and 36-51 were previously withdrawn in response to a restriction requirement. Accompanying this response is a Declaration under 37 C.F.R. § 1.132 and associated Figures 1-12.

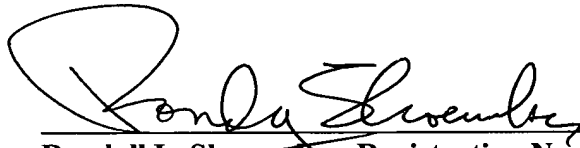
The accompanying Declaration under 37 C.F.R. § 1.132 and associated Figures 1-12 clearly demonstrate that Alderman does not teach, suggest, nor make obvious alone or in combination with the other cited references the present invention. Claims 1, 34, and 35 have been amended to require a cooked buoyant whole grain waxy wheat, which the declaration establishes is not produced according to the teachings of Alderman. The other references do not teach nor disclose any such product either, whether taken alone or in combination with Alderman. Thus, the rejection of claims 1, 34, 35 and the claims which depend there from under 35 U.S.C. § 103 (a) based on Alderman in view of Nakamura et al. and the cited book can not be maintained and must be withdrawn.

Applicant's attorney respectfully submits that the claims as amended are now in condition for allowance and respectfully requests such allowance.

Respectfully submitted,

**HOWARD & HOWARD ATTORNEYS**

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Date



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Sandra Barry